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# NASA Procedural Requirements

**COMPLIANCE IS MANDATORY**

**NPR 2081.1A**

Effective Date: May  
11, 2010

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11, 2015

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(NASA Only)

## **Subject: Nondiscrimination in Federally Assisted and Conducted Programs**

**Responsible Office: Office of Diversity and Equal Opportunity**

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## **Preface**

### **P.1 Purpose**

The purpose of this directive is to establish and convey procedures of the National Aeronautics and Space Administration (NASA or "the Agency") Office of Diversity and Equal Opportunity (ODEO) on:

- a. Processing administrative complaints of discrimination filed with NASA in any program or activity assisted by NASA, excluding those covered under the Department of Education/National Aeronautics and Space Administration/Department of Justice (DOJ), "Agreement Between National Aeronautics and Space Administration and Department of Education to Delegate Certain Civil Rights Compliance Responsibilities for Elementary and Secondary Schools and Institutions of Higher Education." [Appendix D] This NPR does not alter the agreement between NASA and the Department of Education designating the Department of Education responsible for certain specific civil rights complaint investigation duties, with respect to elementary and secondary schools and institutions of higher education.
- b. Conducting civil rights compliance reviews to ensure against discrimination in any program or activity receiving NASA financial assistance.
- c. Processing administrative complaints of discrimination on the basis of disability filed under Section 504 or 508 regarding any program or activity conducted by NASA.
- d. Processing administrative complaints of discrimination filed under Executive Order 13160 regarding any education or training program or activity conducted by NASA.

- e. Conducting internal "functional reviews" of Center equal opportunity (EO) operations, including EO requirements pertaining to NASA conducted programs.
- f. This NPR does not alter any NASA employee's rights to due process or redress related to a discrimination charge as currently guaranteed under any locally negotiated bargaining agreements or established practices.

## **P.2 Applicability**

This NPR is applicable to NASA Headquarters and NASA Centers, including Component Facilities and Technical and Service Support Centers.

## **P.3 Authority**

- a. Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d - 2000d-7, as amended.
- b. Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 1681-1688, as amended.
- c. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended.
- d. Section 508 of the Rehabilitation Act of 1973, 29 U.S.C. § 794d, as amended.
- e. The Age Discrimination Act of 1975, 42 U.S.C. § 6101, et seq., as amended.
- f. The National Aeronautics and Space Act of 1958, 42 U.S.C § 2473 (c) (1), as amended.
- g. Exec. Order No. 13160, 3 C.F.R. 279 (2000).
- h. Exec. Order No. 13166, 3 C.F.R. 289 (2000).
- i. NPD 2081.1, Nondiscrimination in Federally Assisted and Conducted Programs of NASA - Delegation of Authority.
- j. NPD 3713.2, Federal Equal Opportunity Programs of NASA.

## **P.4 Applicable Documents**

- a. The Privacy Act of 1974, 5 U.S.C. § 552a.
- b. Nondiscrimination in Federally-Assisted Programs of NASA - Effectuation of Title VI of the Civil Rights Act of 1964, 14 C.F.R. Part 1250.
- c. Nondiscrimination on Basis of Handicap, 14 C.F.R. Part 1251.
- d. Nondiscrimination on the Basis of Age in Programs and Activities Receiving Federal Financial Assistance, 14 C.F.R. Part 1252.
- e. Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 14 C.F.R. Part 1253.
- f. Guidelines for the Enforcement of Title VI, Civil Rights Act of 1964, 28 C.F.R. § 50.3.
- g. Coordination of Enforcement of Nondiscrimination in Federally Assisted Programs, 28 C.F.R. Part 42, Subpart F.

- h. Electronic and Information Technology Accessibility Standards, 36 C.F.R. Part 1194.
- i. NASA, Title VI of the Civil Rights Act of 1964, as Amended: Policy Guidance on the Prohibition Against National Origin Discrimination as It Affects Persons With Limited English Proficiency, 68 Fed. Reg. 70039 (Dec. 16, 2003).
- j. NPD 1210.2, NASA Surveys, Audits, and Reviews Policy.
- k. NPR 1441.1, NASA Records Retention Schedule.
- l. NPR 1600.1, NASA Security Program Procedural Requirements.
- m. Department of Education/National Aeronautics and Space Administration/Department of Justice, "Agreement Between National Aeronautics and Space Administration and Department of Education to Delegate Certain Civil Rights Compliance Responsibilities for Elementary and Secondary Schools and Institutions of Higher Education," 52 Fed. Reg. 43385 (November 12, 1987).
- n. DOJ, Civil Rights Division, "Title VI Legal Manual" (September 1998) (DOJ Title VI Legal Manual). <sup>1</sup>
- o. DOJ, "Executive Order 13160 Guidance Document: Ensuring Equal Opportunity in Federally Conducted Education and Training Programs," 66 Fed. Reg. 5397-5410 (January 18, 2001) (DOJ Executive Order 13160 Guidance Document). <sup>2</sup>

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<sup>1</sup> DOJ's Title VI Legal Manual provides comprehensive information on matters pertaining to Title VI compliance. A careful reading of this manual is essential to a complete understanding of the legal underpinnings of investigative procedures set forth in this manual. It may be accessed at <http://www.usdoj.gov/crt/cor/coord/vimanual.htm>.

<sup>2</sup> This guidance document provides detailed policy and enforcement guidance on Executive Order 13160 for Federal agencies. It may be accessed at <http://www.usdoj.gov/crt/cor/Pubs/13160guid.htm>.

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## **P.5 Measurement/Verification**

The following measurements/verification apply:

- a. Consistent with the DOJ reporting requirements, ODEO shall submit regular reports on its compliance efforts pursuant to Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973.
- b. Consistent with the Department of Health and Human Services' reporting requirements, ODEO shall submit annual reports on its compliance efforts pursuant to the Age Discrimination Act of 1975.
- c. Consistent with Executive Order 13160 and the Executive Order 13160 Guidance Document: Ensuring Equal Opportunity in Federally Conducted Education and Training Programs, issued by the Attorney General, ODEO shall submit to the Attorney General a report that summarizes the number and nature of complaints filed pursuant to Executive Order 13160 and the disposition of such complaints.
  - (1) For the first three years after the date of the Executive Order (June 23, 2000), such reports shall be submitted annually within 90 days of the end of the preceding year's activities.
  - (2) After the first three years, subsequent reports shall be submitted every three years

and within 90 days of the end of each three-year period (see Section 6 of Executive Order 13160).

d. Consistent with Executive Order 13166 and DOJ guidance under Executive Order 13166, NASA shall, at a minimum:

(1) Publish in the Federal Register policy guidance to its grant recipients regarding Title VI requirements regarding limited English proficiency (LEP); and

(2) Have in place and periodically update Agency and Center Language Assistance Plans covering NASA conducted programs and activities.

## **P.6 Cancellation**

NPR 2081.1, dated February 17, 2004, Nondiscrimination in Federally Assisted and Conducted Programs

/s/ Brenda R. Manuel  
Associate Administrator for Diversity and Equal Opportunity

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